

97-84044-6

Mulry, Thomas Maurice

The government in charity

[Washington, D.C.?]

[1912?]

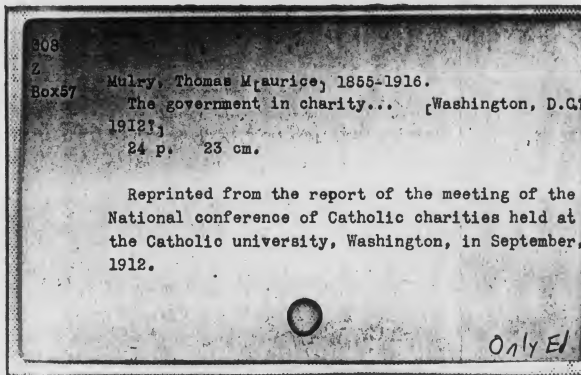
97-84044-6

MASTER NEGATIVE #

COLUMBIA UNIVERSITY LIBRARIES  
PRESERVATION DIVISION

## BIBLIOGRAPHIC MICROFORM TARGET

ORIGINAL MATERIAL AS FILMED - EXISTING BIBLIOGRAPHIC RECORD



RESTRICTIONS ON USE: Reproductions may not be made without permission from Columbia University Libraries.

## TECHNICAL MICROFORM DATA

FILM SIZE: 35 mmREDUCTION RATIO: 1:1IMAGE PLACEMENT: IA (IIA) IB IIBDATE FILMED: 3-7-97INITIALS: RBTRACKING #: MSH 21354

FILMED BY PRESERVATION RESOURCES, BETHLEHEM, PA.

ml

# THE GOVERNMENT IN CHARITY

308  
2  
May 27

By THOMAS M. MULRY

*President of the Superior Council  
of the St. Vincent de Paul  
Society, Member of the  
New York State  
Board of  
Charities*

[REPRINTED FROM THE REPORT OF THE MEETING  
OF THE NATIONAL CONFERENCE OF CATHOLIC  
CHARITIES HELD AT THE CATHOLIC UNIVERSITY,  
WASHINGTON, IN SEPTEMBER, 1912]

# THE GOVERNMENT IN CHARITY

By THOMAS M. MULRY

*President of the Superior Council  
of the St. Vincent de Paul  
Society, Member of the  
New York State  
Board of  
Charities*

[REPRINTED FROM THE REPORT OF THE MEETING  
OF THE NATIONAL CONFERENCE OF CATHOLIC  
CHARITIES HELD AT THE CATHOLIC UNIVERSITY,  
WASHINGTON, IN SEPTEMBER, 1912]

## INTRODUCTION.

The paper reprinted herewith was read by Mr. Thomas M. Mulry during the meeting of the National Conference of Catholic Charities at the Catholic University, Washington, September 23rd, 1913.

The paper is fortunate in its author. Mr. Mulry has been the leading figure in Catholic lay charities, and one of the towering few in the civic charities of New York for a quarter of a century. His position as an authority in both fields is unique.

The paper is fortunate in its field. Mr. Mulry has drawn largely from the history of New York charities. Poverty has taken on an entirely representative character there. In dealing with native and foreign born poor, in struggling with problems of all but hopeless congestion, in making generous attempts to succor every type of helplessness and misery, in witnessing conflict among all kinds of methods in relief, New York has gone through an experience that is literally encyclopedic. No philosophy of charity has failed to have distinguished champions there. No arrangement has been attempted which has not met searching opposition when effort was made to define the policy of New York in dealing with problems of relief. Even the unsettling of social foundations which ordinarily results when the constitutional convention is anticipated, has not failed to leave its traces in the recent philanthropic history of the state. Mr. Mulry has witnessed this complex process. He has been the champion of a policy and the spokesman of a philosophy. He has known intimately those who opposed him. Throughout the course of the events referred to, mutual respect and trust in mutual integrity, between him and those who differed from him have never failed.

The paper is fortunate in its doctrine. It recognizes the facts of American life and the spirit of our institutions. It asserts the supremacy of religion in morality, and of morality in the upbuilding of our dependent classes. It admits the value of properly regulated state supervision of institutions of relief. It stands for the principle that the state may take advantage of the best impulses of its citizens in providing for dependents. And consequently, it holds that the state may contract for the care of dependents with any agencies which combine efficiency, economy and powerful appeal to what is highest and noblest in the human heart. In a word, Mr. Mulry holds that the state consults the best interests of the dependents, of society and of citizenship in encouraging religion in the work of relief, due regard being had to the limitations under which the state must act.

Mr. Mulry's doctrine is fortunate in its supporters. Nearly every important point made in the paper is supported by men representing many

different views of life and of religion and thoroughly representative of the public life of the great metropolis of America. It is striking to find that so vexed a question is capable of solution accepted by distinguished men representing so many different views of public policy and of religion.

Catholic University,  
Washington, D. C.

WILLIAM J. KERBY.

## THE GOVERNMENT IN CHARITY

It is a fundamental principle, universally recognized and quite generally conceded as a proposition admitting of little dispute, that under the present conditions existing in our social fabric, upon the state or government necessarily must devolve the duty of making suitable and adequate provision for such of its dependent citizen wards as, by reason of old age, mental or physical sickness or other infirmities, are found incapable of properly caring for themselves. Likewise, it must be conceded that it is highly incumbent upon the State to extend its protection and support to such children of its citizens as have been deprived by death or other circumstances of the care, support and protection of their parents or natural guardians.

While the righteousness and unquestionable propriety of the State's caring for its dependent wards everywhere is conceded, a careful study of the question will serve to disclose the fact that, though statutory provision is made for Indians on their reservations and for dependents in the District of Columbia, and pensions automatically are set aside for the purpose of relieving war veterans, absolutely no mention is made of the word "charity" in the Constitution of the United States. Again, upon any extended examination of the constitutional aspect of the subject, it will be found that, in the constitution of no State, outside of North Carolina, is the obligation of the State to care for its dependents clearly defined.

Notwithstanding the absence of any constitutional enactment making it obligatory upon the part of the State to provide for the dependent wards of the community, the duty of the State in such matters is everywhere quite generally recognized and accepted, and rarely is objection raised by the better-circumstanced citizens when taxes for the support of the indigent poor are levied upon them. Where, however, the State, usually after mature deliberation and an examination of the subject, enacts special legislation and enters upon any settled policy of administration in its public relief and charities contemplating the use of established and well-organized private agencies, at once the question is agitated of what properly may be designated the right method of distribution of State aid or public relief. Simultaneously widely diverging views will be discovered and much adverse criticism is sure to be leveled at the policies adopted in certain States or sections of the country, should they happen to conflict with the views of such of its citizens as are opposed to any form of public aid or grants to institutions or agencies not wholly under State control.

Governmental aid, or more properly speaking, the relation of the State to affairs of charity conducted under private auspices, at best is a much vexed question and one which it suffices only to mention when imme-

diately determined opposition will be encountered and attended not infrequently by discussion of an acrimonious nature. In fact, my observation and experience in the matter have been such as to lead me to doubt gravely if it were at all possible to select a subject more likely to serve to center about it a greater array of differences of opinion, or more certain to provoke unwarranted disturbance among those participating in any discussion of its varied aspects, than this same question of the relation which the State should bear to its dependent poor. Those of us who have had experience in the matter appreciate fully that the dangerous rocks, seriously disturbing and impeding safe navigation in the otherwise smooth waters of any discussion of charitable affairs, are the much-debated questions of what properly should constitute State supervision, public aid to private institutions, and the relations which should exist between the State and private institutions, especially those in receipt of public money. It is to the discussion of these important subjects that I shall devote the major portion of my address this evening.

#### STATE SUPERVISION.

The question of State supervision, especially of private charitable institutions, has been made the subject of much varied discussion in the past and it still continues to engage the attention of those interested in charitable movements. While, quite ordinarily, it is found that there is a substantial agreement among all our citizens upon the main point that, in the prosecution of any work of charitable or correctional endeavor, some sort of State supervision is demanded; and while it has been demonstrated repeatedly that, when properly conducted, such supervision is most helpful to the institution and advantageous to the State and its dependent wards, nevertheless, it is an undeniable fact that much strenuous opposition may be expected in some form or other whenever one seeks to bring about the introduction of the system into sections of the country where previously it did not obtain.

It happens not infrequently that the authorities of some of our private institutions, sincerely believing that the establishment of State supervision can only mean a threatened invasion of personal rights and a most decided advance in the process of the centralization in the State of all forms of charitable and correctional activity, find considerable difficulty in giving their assent to the introduction of the plan into the States of which they are residents. They become more determined in their opposition when brought into contact with extremists who argue, somewhat inconsistently, for the adoption of a system of supervision so complete and vigorous in its details as practically to amount to State control. Both attitudes unquestionably are wrong, and it is only in the happy medium of these extremes that any proper solution of the problem is to be had.

Undoubtedly it must be conceded by all right-thinking members of the community that, especially where the public contributes to the support of the inmates of an institution under private control, the State has every right to adopt measures of a supervisory nature in an endeavor to deter-

mine accurately that the money appropriated is expended for the purposes intended. To grant the reasonableness of this argument must likewise necessarily imply an admission that the adoption by the State of some sort of supervision becomes an imperative duty. In the State of New York private institutions, even though not directly in receipt of public money, usually have their taxes and, in a number of cases, even their assessments remitted. It would seem eminently proper, therefore, in such cases at least, that in consideration of the privileges extended, the State should at least possess the right of instituting reasonable methods to ascertain whether the institutions benefited by its generosity are really worthy of the exemption granted and whether they are actually performing the work they profess to accomplish. In addition, the taxpayers, upon whom necessarily must fall the added burden of the remitted taxes, most assuredly are justly entitled to some sort of authoritative examination which will acquaint them thoroughly with the manner in which the money appropriated by their disbursing officers is expended. "The visitatorial or superintending power vested in the State in respect to charitable corporations created by it is nothing new. It is indeed of very ancient origin and is discussed by all the law writers on the topic."

Putting aside entirely the question of the inherent right of the State to supervise private institutions in receipt of public aid, it must perforce be admitted that the life, health and happiness of all those who are compelled by reason of poverty or infirmity to seek admission into private institutions, most assuredly should be objects of solicitude on the part of the State. We must hold at least, that the State should adopt such measures as will guarantee it in exercising some reasonable supervision over the conditions under which its dependent wards are compelled to exist. Surely, it must appeal as most reasonable for the public to demand that, over the extensive and, in most cases, complicated systems of charities and corrections existing in all our great commonwealths, the State should have some one department of its government charged specifically with the duty of inquiring from time to time into the management and operations of such institutions and organizations within its borders caring for the dependent and delinquent wards of the State. Without such supervision it is well-nigh impossible for the State and the public at large to have any proper concept of the real needs of these dependent classes and of the measures which should be adopted for their proper support. In addition, State supervision over charitable and correctional institutions would appear most necessary, to hinder misrepresentation in the mind of the public, and strange as it may seem, to safeguard, in a way, those responsible for the conduct of the work. They frequently need protection against the slanderous charges which sometimes are lodged against even the authorities of some of our most worthy and best-managed institutions. It is to meet all these varied requirements as fully as practicable that state boards of charities, possessing supervisory powers, have been created in a large number of the different States of the Union.

One of the most forcible arguments which may be advanced in defense of the principle that it is the right and duty of the State to supervise and

inspect the work of private institutions caring for its citizen poor, is to be found in the Thirty-second Annual Report of the New York State Board of Charities, made to the Legislature in 1899:

Under our theory of government, the State is, in temporal matters, and subject only to the Constitution of the United States, supreme over all within its jurisdiction (otherwise it would cease to be the State), and possesses authority to exercise for the common good of its people certain powers known as "police powers," whereby, to use the language of an important judicial decision, "the health, good order, peace and general welfare of the community are promoted." These powers, which cover, and to a large extent, regulate, many of the fields of life's activities, are appropriately divided into classes, and delegated to public officers, whose duties are set forth in laws framed by the Legislature, and, in the case of the State Board of Charities, also in the constitution.

As the result of experience and observation, the State has found that, for the individual good and the common welfare of its citizens, it is important and necessary to visit, inspect and supervise the work of its public and private charities.

Grave abuses of various kinds have not been uncommon in charitable administrations, and as such administrations are carried on presumably for the public good, and voluntarily to perform certain services for the State, as well as to gratify the charitable inclinations of their members, it has been found desirable that they should be under the watchful eye of somebody of competent jurisdiction, with power to protect the interests of the public, and especially of the poor, in whose name and for whose cause the benefactions of individuals are intrusted to those voluntary almoners.

It is certainly conducive to the welfare of the State, of which so many citizens are applicants for charitable assistance of one form or another, for some responsible authority in the State to make certain that the inmates of charitable institutions receive proper care, that those capable of instruction be given the benefits of an education, and that moneys donated for the relief of the poor are honestly and judiciously used. Furthermore, it is to be assumed that no institution of charity which is properly conducted need have anything to fear because of the visitation, inspection and supervision provided by law, while, on the other hand, it is difficult to imagine how any honest interest in the State can possibly be benefited by the concealment of evils and abuses in such institutions. As a general proposition it can safely be asserted that the more the financial and other operations of charities are subject to impartial official scrutiny, the better are the results obtained.

One has but to contrast the conditions obtaining in the almshouses to-day with those existing thirty years ago to have placed before him ample proofs of the wonderful improvements brought about solely because of the State's supervision over its charities. Time was when the pauper, the insane, the criminal and the destitute child were all indiscriminately huddled together in the neglected and badly managed county almshouse. Absolutely no attempt at segregation or classification was made, and in the entire management of the system there was to be found an utter absence of any systematic effort on the part of those responsible for the conduct of the work to uplift the poor unfortunate out of the mire of despondency and neglect into which his sad condition had brought him. Often could be witnessed the wretched spectacle of the helpless, aged poor

and the defenseless dependent child auctioned off to the lowest bidder, thereafter to be submitted to a condition of slavery infinitely worse than that endured by the unemancipated negro of the slave-holding countries. All this was done under the miserable plea that the county should be saved the expense of the maintenance of the unfortunate. From time to time, during the forty years it has been my privilege to be closely identified with charitable work in the State of New York, I have seen children of very tender years forced to labor in the fields from early morn to late at night, deprived of every facility of education and advancement, clothed wretchedly, undernourished and miserably kept. Often I have witnessed the weak, feeble and underfed aged man and woman compelled to work despite the pitiable wretchedness of their condition. Slaves were treated better than were those poor, neglected souls, looked upon as social outcasts, and forced by circumstances, over which they had no control, to lead a life of hell on earth, all because some heartless, cruel overseer of the county poor, in his niggardly desire to make a so-called good financial report, had parceled them off to the lowest bidder. Did the villainy cease there, and were the poor, unoffending unfortunates treated with any slight degree of humanity, their portion might not have been so difficult to bear. God only knows to what sufferings they were subjected at the hands of these heartless traders in human flesh who sought to make up, by labor, the price of their original inhuman investment.

Happily, this condition no longer exists. The community, aroused to the indignities heaped upon the poor unfortunates, gradually adopted remedial measures. In 1867 the State Board of Charities was established in New York and invested with authority to regulate and supervise the care of the dependent, delinquent and sick poor throughout the State. From its very inception the New York State Board of Charities has had among its members men of intelligence, unselfishness, earnestness and untiring zeal, who gave generously of their time, working constantly, and gradually succeeding in welding the work into such shape that to-day the State of New York stands prominently to the front in its care of the dependent and unfortunate. These men have made history in charity work and their names ever will be mentioned with respect and esteem.

What is true of New York applies with equal force to other sections of the country. If the system of charities, state, county or municipal, is wisely to be administered, then the necessity for the establishment of some sort of supervisory board at once becomes apparent. A board of state charities, endowed with rightful powers and exercising such powers wisely and judiciously, at once becomes in the community a most powerful instrument for the accomplishment of much good. Through the introduction of a methodical system of inspection and examination of the charities of the State, it will be enabled to compile a valuable fund of helpful information which may then be placed at the disposal of the boards of managers and competent executive officers of private institutions. The experience gained by impartial and judicious examination of the various charitable institutions and agencies will be of vast assistance in guiding charitable efforts

generally and in bringing about proper classification and co-operation among the different institutions.

There need be no fear entertained by institutional managers that to allow State supervision would be to invite State control and eventually lead to the establishment of a system of supervision so irksome in its requirements and demands as to tend to hamper and impede their work.

As a rule it will be found, quite generally, that State boards will exercise the powers granted them in an impartial and reasonable manner; that the State inspectors will visit and inspect as sympathetic friends, not as carping critics; that where reforms are found needful, such reformation will be suggested wisely and kindly. Carried on in this way, the wisdom of such supervision will be apparent to all and there will be no occasion to fear an invasion of private rights and a forcible transfer of private responsibilities.

#### PUBLIC AID TO PRIVATE INSTITUTIONS.

There are few subjects about which has centered such a storm of criticism and opposition as the question of public aid to private institutions. While granting the right and duty of the State to care for its dependent and delinquent poor, many there are to be found, in every section of the country, protesting vehemently against any use by the State in its care of the poor, the erring and defective, of any institution other than those absolutely under State control. Even though it can be shown that the State, in adopting the use of private agencies in the care of its dependents is the gainer thereby, these same people are still to be found protesting, solely because the institution, no matter how efficiently organized and managed, happens to be under private auspices. A word or two about our private institutions will not be amiss.

The system of private institutions is founded largely on the principle that, to carry on effectively any work of charity, the influence of religion is a most essential element and cannot be neglected or overlooked if lasting results are sought to be accomplished. Since belief in the theory dictates the conviction that to each denomination should be delegated the care of its own dependents, in order that, while they receive every temporal comfort and relief, opportunity may also be afforded, through the softening influence of religion, to instill in them sentiments of respect and love for law and order and decency which will foster in the young a desire to become future good citizens of the community and preserve the respectability of the aged.

Taking such facts into consideration and looking at the matter calmly and without prejudice, it must certainly be admitted by every fair-minded and reasonable person that there can be no valid argument advanced against the legality and propriety of the State seeking and employing the aid of private institutions in the care of its dependent wards. Admittedly, the State is in duty bound to make some sort of adequate provision for the care of the orphaned and abandoned child, the sick, the aged and the infirm. Why, therefore, should it be so hampered by unwise and unjust

restriction as to make it hesitate to provide for the care of such wards in private institutions wherein, after competent examination, it has had every evidence to prove that the methods employed are conducive to efficiency and economy? Leaving aside, for the time being, the legality of the question, which to my mind is beyond dispute, when confronted with the problem of the disposition of its dependents, has not the State or municipality the plain right to make contracts for the care of such dependent wards in private institutions, the same as it has to enter into contractual relations with the builder, the architect and the supply man? When the latter subjects are in question, surely no one will contest the right of the State to make the best bargain possible. If the contention be true in one case, why does it not apply equally as well in the other? Under the system in vogue at the present time in New York and other sections of the country, any impartial investigation of the subject will show conclusively that the community is never called upon to expend a single dollar for the construction of the institutional plant. The private institutional buildings are the creation of the charitably disposed men and women responsible for the creation of the numerous organizations throughout the country, and statistics will show that, from the money point of view, the private institutions in New York City alone represent an expenditure of at least sixty million dollars. These well-equipped and efficiently managed institutions are placed at the service of the public absolutely free of rent; in return, all the municipality is called upon to give is the mere grant for the subsistence and, in some cases, the education of the inmates.

Appropos of this point, let me quote from a letter recently received from Mr. Robert W. Hebbard, Secretary of the New York State Board of Charities, and a recognized expert and authority in such matters: "The State Board of Charities finds that the cost to the public of maintaining its dependents in private institutions is much lower than the cost of maintaining them in public institutions. This is particularly true of those whose care is provided for by the City of New York. It is the Board's belief, however, that considerably larger amounts should be paid by the city, on a per capita basis, in order that the institutions may be in a position to improve the care that is given to these public wards, to standardize their dietaries and also the training given to the children, that they may be better able to contribute to their own support when they leave the institution. It has accordingly recommended to the New York City authorities that a substantial increase be made in the per capita rates over the sums now paid for the various classes of inmates maintained in the private institutions at public expense. This action has been taken solely in the interests of the inmates of the institutions, and it is intended to require the expenditure of all of such increased amounts, if allowed, in the better care and training of the children. The institutions themselves, at the present time, furnish the grounds and buildings and the plant generally, without any cost to the city. This, too, is the custom throughout the entire State. It is conservatively estimated that to replace such grounds, buildings and plants would cost the City of New York not less than \$60,000,000. In the aggregate, the institutions also make a substantial contribution towards

the care of the children, considerably exceeding, it is estimated, that which is paid by the city."

The Hon. M. J. Drummond, Commissioner of Charities of New York City, in a brief recently submitted to the Comptroller of the City of New York, advocates most emphatically the granting of larger per capita rates to the private institutions and gives some very interesting comparative figures. I take the liberty of quoting the following figures from Commissioner Drummond's brief:

COST OF MAINTENANCE IN PUBLIC INSTITUTIONS.			
<i>†Hospitals.</i>	Per Capita per diem.		Number of Beds.
Bellevue, 1910*	\$1.70		1,224
Gouverneur, 1910*	2.20		170
Harlem, 1910*	1.96	} average	188
Fordham, 1910*	2.25		
		2.11 plus	
Kings Co., 1911†	1.14		934
Cumberland St.†	1.18		160
Coney Island†	2.93	(active only part of the year)	100

Much of the help in all the public hospitals is low grade and cheap—orderlies at \$10, \$12 and \$15 a month.

The cost for maintenance alone in the public hospitals is vastly more than the city pays to private institutions.

#### Homes for Children.

Disciplinary Training School, 1910	\$264.00 per annum or \$5.75 per week.
Parental Schools, 1911	5.50 per week, with interest charges \$8.50.
	252.36 without interest.
Vocational Schools, classroom work only, 1911	180.45 per capita per annum.

#### CARE AND MAINTENANCE IN PRIVATE INSTITUTIONS FOR 1911.

Hospitals.				
Total days' care and maintenance given by insts.	Days' care and maintenance paid by city.	Amount received from city.	Total amount expended by institutions.	Reported value of property.
Med. 79,748				
Catholic ---- 762,802	Surg. 106,677	\$279,432.15	\$866,179.00	\$6,621,400.41
		186,425		

\*The above figures taken from the reports do not include many things—gas, electricity, office supplies, nurses furnished by the Department of Public Charities, etc. Nothing for plant, interest, etc.

†Gas, electricity, office supplies, interest on investment, depreciation of plant, etc., not included.

‡These thousand bed hospitals have the advantage of city credit in the purchase of supplies and the lower cost found in buying large quantities.

[These figures are much below real cost, as they do not include plant, repairs, or loss on investment.

Protestant --	Med. 85,248				
	Surg. 153,562	293,546.33	1,984,524.67	14,766,127.74	
		238,810			
Jewish -----	Med. 62,098				
	Surg. 74,216	171,099.43	1,072,342.12	4,339,700.90	
		136,314			
		2,023,936	561,549	\$744,077.91	\$3,923,045.79
				\$25,727,229.05	
Children's Institutions.					
Catholic -----	Dep. 4,380,899				
	6,000,616 Del. 429,488	\$2,016,451.96	\$2,682,133.62	\$12,321,851.78	
		4,810,387			
Protestant --	1,441,697 Dep. 893,796				
	Del. 174,441	461,620.71	1,023,540.17	8,090,258.35	
		1,068,237			
Jewish -----	Dep. 1,067,163				
	1,231,533 Del. 109,248	404,578.26	647,241.64	5,146,285.01	
		1,176,411			
		8,673,846	7,055,035	\$2,882,650.93	\$4,352,915.43
				\$25,558,395.14	

These figures do not include miscellaneous institutions nor county institutions. Without the county, these receive approximately \$2,000,000 per annum.

Total amount received by all institutions, excluding county—\$4,321,463.59

Total amount expended by all institutions, excluding county—10,491,014.29

Property values underestimated perhaps one-half.

Whenever the question of public aid to private institutions is discussed, almost invariably you will find those opposed to the system putting forth the old, threadbare argument that all such grants should be discountenanced in the community for the reason that the continuance of State appropriations to private institutions can only result in tremendously increasing the number of private institutional inmates. Particularly the argument is directed with especial vigor against children's institutions under private control. I have never listened to such arguments without being unconsciously forced to the conclusion that the persons making them had either been misinformed or had really never made such extended and competent examination of the subject as would qualify them to speak authoritatively.

As a matter of fact, in the State of New York at least, a study of the statistics on this subject, compiled by the State Board of Charities, will prove conclusively that in place of having increased, the number of children, inmates of children's institutions, have actually decreased. In confirmation of this statement I submit to you an extract from a letter dealing with the question sent to me by Mr. Hebbard, to whom I have already referred.

Mr. Hebbard says: "During the past fifteen years the growth in the

number of inmates of institutions for children has not by any means kept pace with the growth of the population. To the contrary, the number has greatly decreased, as will be shown by a consideration of the fact that in 1897 the percentage of the entire population supported in homes for children under the supervision of the State Board of Charities was .632; and in 1911, .574."

Mr. Elbridge T. Gerry, of New York, a man who has done an untold world of good for suffering humanity, and whose name ever should be held in esteem and affection by all lovers of the poor and their children, is my authority for the statement that in New York the State practically was forced by adverse conditions existing in its own institutions to seek the aid of the private institution in caring for its dependents. In an address delivered at the Constitutional Convention held in New York in 1894, in answer to an attack made on private institutions by a certain reverend gentleman who, in the course of his remarks, endeavored to create the impression that the Catholic Church was striving to "eat up all the appropriations to the exclusion of Protestant institutions," Mr. Gerry said: "Let us see what the State did in regard to institutions. One of the earliest corporations which was created was in 1824, for the reformation of juvenile delinquents, the House of Refuge in New York. And it went through a very varied and precarious condition. For years they insisted on excluding from the children any definite teaching of religious faith, although some general instruction of a religious character was given. And then it followed with the House of Refuge that the cost of maintaining the child grew to be enormous. The results were not satisfactory. Something had to be done. There was a very large influx of foreigners from abroad; some of them professed the Roman Catholic faith; others were Hebrews, taught to revere and to live up to their religion. And they were all sent to the House of Refuge because there was no other place, and when they were received there their definite instruction in their own religious faith ceased. But as the city spread it became necessary that something should be done to keep pace with the spread of juvenile delinquency. Then started almost side by side two institutions, the one representing the Roman Catholic Church and the other representing the Protestant denominations without any particular individuality—the New York Catholic Protectory and the New York Juvenile Asylum. There they stand today, side by side, each of them accommodating about twelve hundred children—admirable in system, each vying with the other to see where each may produce the best moral and best religious effect upon the training of the child, each challenging the other in honest competition to produce better results than its neighbor—the pride and glory of the Church of Rome on the one hand in its Protectory, the admiration and the delight of Protestants on the other in its Juvenile Asylum."

In charitable matters the State of New York probably has never had the superior of William Pryor Letchworth, long a member and for a number of years the president of the State Board of Charities. The history of the great reforms effected in the charities of New York, through the persistent efforts of this good man, ever will be intimately bound with the

history of modern charities in this country. Let me quote from a summary of a report made by him in 1875 of an examination of certain public institutions:

"After a patient and impartial examination of this subject, the conclusion seems to be inevitable that the whole ——— nursery system should be set aside agreeably to the statutes, and the children should be placed in asylums suited to their various needs under the charge of those devoted to the interests of the young, or into good families where they may be trained and educated to useful and respectable citizenship. The ——— nursery system was bad enough, but this is infinitely worse. That was not abolished by force or legal enactment alone, but by the exercise of an enlightened public sentiment.

"This institution, like poorhouses generally, will always be under the control of party organization, which must necessarily influence its management in the selection of subordinates, and being under the control of public officials, the voluntary efforts of benevolent people to minister to the needs of unfortunate children must in consequence be shut out from this field of labor and the children deprived of what experience has demonstrated as being the very best agencies for their elevation.

"An examination of these private institutions and the great and efficient work they are doing in the cause of humanity makes it a matter of deep regret that so large a number of children as are in the nursery should be deprived of like advantages."

Again, upon his return from an examination of every institution in the State of New York, Mr. Letchworth, in his report to the Legislature recommending the transfer of dependent children from the public almshouses to private institutions, wrote as follows:

"The history of the orphan asylums of the State, could it be fully written, would not only enlarge our faith in human nature, but strengthen our confidence in the regenerative forces of society. This, however, cannot be done; for the beautiful incidents scattered through all, like sweet-scented flowers in the woodland, are too manifold for description.

"The prayers for the orphan and homeless, uttered by devout men and women in the watches of the night; the days of pleading and plodding with weary feet; the times of dark discouragement and doubt; the monotonous round of patience-trying labor within the asylum itself; the good deeds of the benevolent whose sympathies have bestowed the widow's mite as well as the princely largess or bequest—the first perhaps costing the greater sacrifice—all this and much more can never be told, and is only fully recorded in the Book of Life."

Despite the fact that wherever the proper test has been made it has been conclusively shown that the public is greatly benefited financially and otherwise when, in the care of its dependent wards, it adopts the use of private institutions, the system continues to be made the object of much adverse and unjust criticism, and bitter warfare continually is waged against it. In no other section of the country has the battle been more strenuously fought than in the State I have the honor of representing. In 1893 a determined effort was organized by those opposed to the system to

go before the Constitutional Convention, called for 1894, and there make such representation as would commit the State of New York to a return to public institutions for all classes of charitable and reformatory work paid for out of the public funds. Under the guise of non-sectarianism, force was given the effort. Different centers throughout the State had been circularized. Sectarian feeling was stimulated. Probable members of the convention were interviewed and efforts made to pledge them in advance to the proposed amendments.

During the sessions of the Committee on "Charities and Charitable Institutions," when consideration was given the question of making it unconstitutional for the State to make grants to private institutions, the same old charges were made by those prominent in securing the passage of the amendment—that the money appropriated to private institutions was used solely for the purpose of building up the Catholic Church. There were the same old arguments, dressed up, perhaps, in a little newer form, that had been brought forth in 1867 and were combatted then by Erastus Brooks (who had the controversy with Archbishop Hughes and who certainly could not be charged with being too excessive a lover of things Catholic). In that year Mr. Brooks said: "The State ought not to support the churches, and it ought not to make donations for purely sectarian purposes. And having answered this question, let me add that it is also unworthy of a State to deny any class of needy people the State's aid because the recipient of its bounty, perchance, belongs to any one sect or to no sect, and I may also add that it is unworthy of taxpayers and all others to incite the fury of the State against any sect or party on account of its religious faith.

"The petitioners to this body seem to regard Roman Catholics solely in the light of sectarians. \* \* \* I admit, sir, again and again, that sectarianism cannot be, must not be, supported by the State; nor must it, sir, if presented in the form of a true charity, be disowned by the State. Charity, which St. Paul makes the chief good, is scattered all over the Bible. \* \* \* It is the very essence of the Christian religion, and, therefore, in a civilized country cannot be excluded in precept or practice from any public or private institution. Again, sir, if you strike at one mode of religious worship, you strike at all. \* \* \* The only reason why, in certain parts of this State, the children of Roman Catholics and their parents have received more money, perhaps, than those of other denominations is no doubt the fact that, unfortunately, in the majority of cases they are among the poorer classes, and I will not, for one, discriminate against a sect on account of the poverty of those who embrace it."

At the same convention, Mr. George William Curtis, editor of Harper's Weekly, said: "Various statistics have been given to us to show that most of the local aid has been granted to institutions which are managed by the Roman Catholics. But, unquestionably, sir, if the State, as we have determined, is to aid charities, it cannot avoid, at least proportionately, helping those which are under the care of the Roman Church. It is impossible not to recognize the fact that the charitable foundations of the Roman Church are comprehensive, the most vigorous and the most effi-

cient known in history. It is still further true, as the chairman of the committee has told us, that the great majority of those who must be relieved by the State charities in certain sections of the State are members of that church, and will naturally fall to the care of that church. I cannot stop to speak of the various forms of the charity of that church, but it is to one of its saints that civilization owes the institution of the Sisters of Charity, whose benign service is known even in the hospitals of other denominations, and any system which this State should adopt which should strike at the very root of such institutions would necessarily bring the State to this question, 'Are you willing to do, absolutely and to the utmost, what is now done by the institution already in existence?' I do not believe, sir, that the State is willing to do it."

While the splendid defense made for Catholic private institutional interests at the Constitutional Convention of 1894, by such men as McDonough, Conder and Bliss, has never been fully appreciated, a perusal of the records of the convention will show that, were it not for the large number of fair-minded men of other denominations who joined with them in the cause for right and resisted any amendment prohibiting the use of private institutions in the care of the wards of the State, there is a possibility that the passage of the unjust measure might have been secured. Such men were Elbridge T. Gerry, Edward Lauterbach and Meyer Stern, and to them and their co-workers do the private institutions owe a lasting debt of gratitude.

A most forcible and telling address, delivered at one of the sessions of the Committee on Charities of the Constitutional Convention, entitled, "Shall State Aid Be Withdrawn from Denominational Institutions?" Mr. Stern, in supporting the arguments advanced by his Catholic co-workers in the cause, said: "But, gentlemen, what will you do if the State, or, rather, the city, is compelled to maintain these 18,000 children in public institutions? Will any of you dare to suggest for one moment that in any scheme of education you provide you will omit all religious training whatever? Will you—for each of you seek to impress upon your own children in their early days the benign presence of the Deity and surround them with the influence of religion as practiced by you individually, an influence that you know to be their staff and support in later years to keep them in the path of rectitude—will you undertake to rear up these children who, more than yours, need the elevating and restraining influence of religion—will you bring them up without any religious influence? Surely you will not be so false to your duty to the community. You then must provide some religious instruction. We have no State religion, and we have no right to interfere with the religious belief of the child as represented by the parent. Mrs. Charles Russell Lowell said at the Conference: 'I believe most firmly that religious instruction is the first necessity in every life, and that to have its influence felt such instruction must be in the religion which the child has been taught to believe in,' and Mrs. Russel Lowell shares with Mr. Gerry the honor of taking a deep interest

in our juvenile institutions. Is it not better that the religious instruction should be given by institutions whose managers and members are ready to furnish it at their own expense?"

In an admirable address, following Mr. Stern and contending that, though Catholic institutions had received a measure of aid from the State, these same institutions had, of their own initiative, aided by the generosity of their co-religionists, collected and expended hundreds of thousands of dollars in the care of the indigent, Mr. Frederic R. Condet said: "These Catholic institutions have spent thousands and hundreds of thousands of money. They have received children without parents, without friends, belonging to a class that we might truly call the disinherited children of society; they might have been turned into an almshouse, and come out with their hearts full of bitterness against the scheme of society which had made their life a torment. Instead of this, they have been washed, cleaned, bodily and spiritually, and they have been made good citizens; they have been taught their duty to the State, not less important in their eyes because it was at the same time their duty to their God, and someone now says: 'Oh! go ahead and do all this, but the State will not pay for the money that you save.' When I hear my friends say this I am tempted to compare this treatment to that of a tender mother whose child has been captured by Calabrian banditti for the purpose of ransom. They hold the child and threaten mutilation and death until the loving mother cries out: 'Take all I have, but spare my child.' What difference is there—what difference in principle when these gentlemen say, 'Yes, you Catholics, your conscience tells you you must educate your children, you must bring them up in your faith, you must bring them up with a responsibility to God; we will take advantage of all this; it is our duty to feed them, but you shall feed them at your own expense or their faith must go.' Is that honest or is it the reverse?"

In a magnificent and stirring appeal in behalf of the retention of the system of contributions by the State to the support of its wards in private institutions, Mr. Elbridge T. Gerry said: "Experience has taught the people of this State that it can do nothing with the young without the aid of religion. It has tried the experiment again and again of what is called moral teaching. It has planted the children of the poor in the almshouse with the idea that the State official would attend to the moral education, and without making any further attempt to furnish it with the proper means of instruction. It for a time trusted to what vague religious ideas the unfortunate child might imbibe from associations. And finally, when it was satisfied that it was utterly impossible to train the child in the way it should go without the aid of religion, that religion was something which ought to be inculcated in the domestic hearth and that the like result would not follow from simply moral teaching, it then resorted in the care of its children to the definite fixed forms of religious teaching with which Almighty God in His wisdom had surrounded and favored it. And hence it was the principle first arose of entrusting to the men and women of the community who, while unable from circumstances to devote the larger portion of their lives to public affairs, were quite

willing out of their own private means and by the sacrifice of their time, study and attention, to care for those, who through circumstances, were unable to care for themselves. And when at the same time, in cases where either through the misfortunes of the parents or from their having fallen into vice which rendered them incompetent custodians of their children, in order not to deprive the innocent children of all religious education, years ago the policy of the State declared by its legislature was that where children must be placed in institutions either for reformation from vicious habits or to receive the care which they did not receive at home, the parental religious faith of the child was to be considered as far as was practicable in the selection of the institution. And the result has been the creation in this State of a magnificent system not limited to any creed or sect or to any one denomination, but one in which the best men and women of every denomination in their own particular line for years have been working, and working successfully. And the children of the poor—and those who have been infected with the contagion of vice—have thus been placed in the care of persons who were peculiarly fitted to care for them, and they have received a degree of religious instruction coupled with the care of their physical comfort which has resulted in diminishing year by year the amount of juvenile depravity which previously existed."

Probably no man was more pronounced in his opposition to public payments to private institutions, and none more active in his efforts to bring about its prohibition, than was Joseph H. Choate, Chairman of the Constitutional Convention. Let me quote from an address made by him at the Constitutional Convention before the proposed amendment was sent to the Convention for final reading: "Now, when we first came here there was a very decided raid made upon this Convention with the intention of preventing the payment of any public money to any sectarian institutions whatever, and I must say that I have heard of alleged abuses in connection with sectarian institutions before I came here, and after I came here, that if they had been sustained, perhaps, it would have justified the cutting off of all public money from them."

"But I came to the conclusion, after hearing all that has been said to us, and all that I have been able to learn, that the movement for the prohibition of all public money whatever to sectarian institutions was largely inspired by a sentiment with which I have no sympathy whatever, and I do not believe this Convention has—namely, a fear, a hatred for the Roman Catholic Church as a religious body."

"I had heard, for instance, from what seemed to me to be very high authority, that institutions of that persuasion in the City of New York, under the cover of provision for children, realized immense sums of money, which they used for direct theological purposes—the support of the priests and so on."

"Now, I am satisfied from the investigations of the committee that those allegations were utterly unfounded and that the word 'sectarian,' with reference to this matter of charity, is wholly a false point about which to discuss. The Church that I refer to in particular has, so far as I can learn, led the way in charitable work, and has been an example to all

other churches, and the great business of churches of all kinds, so far as I can understand the present theory of church organization, centers in charity—doing good to our fellow-men.

"If it were an original question I should be in favor of prohibiting the use of any public money, the application of any public money, to any private charity, and I think you will see in a few minutes that there is a ground for that. But, as I consider unfortunately, some twenty years ago this State, as a State, departed from that rule. They found these children in public institutions herded in with paupers and criminals, and so the State deliberately entered by its law upon a scheme of using the agency of private charities for the purpose of taking care of those wards of the State. Well, of course, nobody questioned the absolute duty of the State in that respect to provide for them in the way of care and maintenance, and of the same education that we give to other children of the State, and the first article of our Education bill, as we have framed and passed it, provides for all the children of the State."

The result of the unwarranted attack on the private institutions and the demand for a constitutional amendment prohibiting the granting of any public aid was vetoed by the committee. I may best give its conclusion by quoting from the report submitted by the committee through its chairman, Mr. Lauterbach: "No demand of the character referred to, for a change in the methods which have prevailed with regard to the poor and the needy, seems to have come from any of the great host of men and women in this State whose devotion to charitable work, and whose familiarities with all the details have been the greatest. But the criticism against the prevailing methods was so widespread, the character of those who made them so high, and the interest of the people at large so great, that your committee felt called upon to give the subject more than usual investigation and examination. Not content with the public hearings which were accorded to those interested in both sides of the question, with conferences with members of the State Board of Charities, with the representatives of the State Charities Aid Association, and with all who might be presumed to be thoroughly familiar with all the questions involved, your committee entered upon a thorough investigation of the various charitable, correctional and educational institutions which received State or local aid, of the methods which prevailed with respect to the distribution of such aid, of alleged abuses in such distribution, visited many such institutions of every grade and nature, those under the control of the State, counties, cities and other public management as well as those under private management, including sectarian institutions of almost every denomination.

"As a result of those investigations, the committee is of the opinion that the public has received adequate return for all moneys paid to private charitable institutions; that the expenditures made have been in most instances far less than if the institutions had been conducted by the public; that the religious training which is insured for the young by the methods now pursued is of incalculable benefit; that the care of those in private institutions is better, in most instances, than that received in those

under control of public local officers, and is, at least, as good and fully on a par with the institutions, fewer in number, directly under the control of the State itself; that the public moneys expended under the prevailing methods are supplemented by the expenditure of enormous sums from private sources; that to a large extent the buildings and accessories of these organizations have been supplied at private cost, and that the method, upon the whole, is certainly the most economical that can be devised, and will be still more economical when some comparatively trifling abuses, such as the long retention of inmates or laxity of their admission shall have been remedied.

"If the amendments proposed by the earnest people who submitted them were carried out to their legitimate conclusion, and if the partial support from public sources to orphan asylums, founding asylums and kindred institutions which are necessarily under denominational control, were withdrawn, it is to be feared the State itself, or its civil divisions, would be called upon, at infinitely greater cost, to endeavor to perform a service which it could never adequately render, and which would tend to deprive the orphan, the founding, the sick and other unfortunate dependents upon charity of the advantages afforded through the aid of thousands of volunteers, many of whom now devote their lives, without compensation, to co-operation with the State in this, its noblest work, inspired thereto by praiseworthy religious impulses, and which bring to these institutions, not the perfunctory service which would be rendered by paid public officials, many of them qualified only by political service, but a sincere devotion of officers, directors, managers and subordinates engaged in their work as a labor of love and not for emolument."

The best interests of the State and the municipalities demand that voluntary charitable and correctional work should be encouraged. The amount of capital invested in private charitable organizations throughout the country, in my recollection, never has been accurately computed, but, in my own State, conservative estimates made by disinterested persons place the figure at considerably in excess of one hundred million dollars. Add to this the vast amounts annually expended by these same institutions and you will have some slight concept of the magnitude of the work accomplished by the private institutions. Offhand, it is impossible to state the exact number of persons engaged in the service of private institutions who receive no pecuniary compensation, but who labor solely because they look upon the service as a God-given mission.

#### THE RELATION BETWEEN THE STATE AND PRIVATE INSTITUTIONS.

However bountiful may be the provision made by the public for the care of its dependents in public institutions, there necessarily always will be found a large number in receipt of relief from institutions under private management. Such institutions always will exist, and the State which refuses to contribute its share to the support of its dependent wards in such institutions fails in its duty. From the standpoint of the taxpayer, economically, the private institutions may not be supplanted; from the viewpoint of the beneficiary, experience has proved conclusively that

he prefers in most cases to come under the care of those who are of his own religious belief and in institutions provided for by the generosity of his co-religionists.

The question, therefore, quite naturally suggests itself, Shall the community take advantage of the humanitarian impulses of its best citizens? If good men and women unite in planning a work of charity and provide a habitation for the care of the sick and the indigent, shall the city co-operate? Is it better to have the unpaid services of our ablest lawyers, physicians, bankers, business men, men of capacity and intelligence, who have by successful efforts secured such competence as enables them to contribute to charity; or shall we say to these intelligent, patriotic and philanthropic citizens: "The community does not want your effort, nor the result of your affection for the thousands of your own race and religion; but will itself conduct, through its own administrative lines, work of public charity for all, for the cost of which it will tax you fully."

Surely, even the most prejudiced must admit that the services of such valuable auxiliaries as are afforded by the use by the public of the private institutions should be utilized to the fullest extent because, if for no other reason, the work of such institutions tends to relieve the taxpayer of a larger burden which otherwise he would have been compelled to bear. "Moreover," to quote the words of William Pryor Letchworth, "much of the work wrought by private charities, especially in the care and training of the young, cannot be done so successfully by public officials or salaried agents as by those who are governed entirely by motives of pure benevolence."

Experience has shown that race and religion are strong ties leading the prosperous and well-to-do to care for those of their own household and encouraging those who may not be so prosperous financially to give of their time and energy. As a net result of these facts an amount of service is secured for which, looked at from a business point of view, no civic corporation could afford to pay. So deeply has this idea of entrusting the care of dependents to people of their own faith been implanted in the minds of New Yorkers that it has become embodied not only in the laws of the State, but in the Charter of the Greater City. Through co-operation the private charitable institutions provide the institutional home and the city helps defray the cost of maintenance and education. This is the private institution plan as it stands today in New York and in other sections of the country. The managers of these institutions are doing a good work and doing it in a manner satisfactory to the great majority of the citizens of the municipality.

The relation, therefore, which should exist between supervising State boards of charities and private institutions should be of that intimate and co-operative nature which will most effectively make for the best interests of the work at large. In the administration of relief in certain sections of the country, however, it is a sad commentary on the better sense of the citizens that often they overlook entirely the splendid advantages the public authorities, and for that matter, they themselves, may derive from

an intimate co-operation between the State and private agencies engaged in charitable and correctional work. Working daily and unselfishly in the cause, it is but reasonable to expect that such agencies acquire a valuable fund of information which, if properly made known, would be of infinite service to the community and the dependents it is called upon to relieve.

While a believer and strong advocate of the principle that some sort of authoritative supervision of charities is absolutely necessary, I am not unmindful of the fact that there is danger of an excess of supervision and that, too, of an unfriendly character. Samples of it have been afforded where the desire apparently was dictated by the purpose solely of seeking out faults rather than to suggest needed improvements. It has not infrequently occurred in the past that those charged with the supervision of private charitable agencies have been far from friendly to the institutions visited and their conduct has been such as to engender prejudice against all State inspection. In my own experience I have quite generally found that much of this feeling was caused by misunderstanding due to the attempt of the inspector to pry too deeply into matters of no concern to the state board, and more often to the suspicion and distrust displayed by the institutional workers. That it may be understood that those responsible for the conduct of the work of the state boards of charities appreciate, themselves, this very fact, let me quote from an article of Mr. Letchworth, at the time president of the New York State Board of Charities.

In an address on the subject of proper inspection of institutions, Mr. Letchworth said: "In order that the supervision of a charitable system be complete, the inspection of its institutions, whether by the commissioners or by their agents, should be thorough. If the inspector is not qualified for his position, the office is belittled and the inspections, instead of being helpful, are harmful and misleading. It should be borne in mind by those charged with this delicate duty that the administration of the affairs of a large establishment, with always some irresponsible employees, is attended with many vexatious details; that it is not always practicable to bring subordinates up to the standard set for them or to find those who are capable and faithful. Therefore, when it is found that an institution does not rise to its own standard, but it is manifest that there is an honest and conscientious administration, nothing will be lost by exercising a spirit of charity and forbearance in making criticisms. The benevolent intention of those directing the work, and their ambition to have it fulfil its aim and the expectations of the public, should be kept in mind, and such deference and courtesy shown officers in charge as will dignify their positions and enhance the reputation of the institution. Many of the superintendents and matrons of our charitable and correctional institutions have had much practical experience in their work, and have acquired distinction in their several professions. One of the objects of inspection is to enable the entire State to profit more largely by the experience and wisdom of such officials."

It is a pleasure to observe, however, that the feeling of suspicion and

distrust is rapidly disappearing and that today the officers of every well-managed institution, confident of finding fairness and interest in the advancement of their work, gladly welcome the visitation of the State Board's representative. The knowledge that friendly criticism alone will be made and that such criticism is always helpful has been the means of establishing most friendly relations between private institutions and State boards of charities. After an experience of more than a quarter century as a member of the directing boards of a number of private institutions, and during recent years as a member of the New York State Board of Charities, I cheerfully bear testimony to the fact that the amount of good accomplished through the instrumentality of the supervision extended by the State Board of Charities greatly exceeds any injury possibly wrought by unfair inspectors. The splendid spirit of progressiveness manifested by private institutional managers and the improved condition of private institutions of all denominations most certainly go far to prove the truth of this assertion.

Finally, let it always be remembered that in all works of charity, whether they be under the supervision and management of public or private agencies, the object in view should be the same—the welfare and advancement of the best interests of the poor unfortunates, forced by circumstances over which, in great measure, they have no control, to seek the assistance of the charitably inclined. Let those who argue that the care of the dependent wards of the State should be vested solely in the State and who maintain that the State has no right to appropriate money to private institutions, recollect that, as in all other matters, there are two sides to the question. Charity and forbearance, at least, would seem to dictate that they first fully examine into the facts before basely charging the proponents of the system with having sinister motives in view. The general consensus of opinion goes far to show that, wherever the system of caring for State wards in private institutions has been tried, the State has received the better part of the bargain. As I have shown, the public cannot very well get along without the private institutions. Why not, then, encourage them to go on in their noble work?

The government has its place in charities—so have the private institutions. Argue the question if you will, but let there be injected into the argument that genuine, generous spirit of American fair play which recognizes the innocence of a man until his guilt has been proved. Test the private institutions on the effectiveness of the results accomplished, and, my word for it, in every case will they be found measuring up to any and all requirements exacted by the State.

21354

END OF  
TITLE